Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: Commission Meeting: Affirmation

Docket Number: (not applicable)

Location: Rockville, Maryland

Date: Thursday, May 10, 2001

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NUCLEAR REGULATORY COMMISSION

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COMMISSION MEETING

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AFFIRMATION MEETING

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ROCKVILLE, MARYLAND

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THURSDAY

MAY 10, 2001

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The Commission met in the Commission Meeting Room of 1 White Flint at 10:25 a.m., Richard A. Meserve, Chair, presiding.

PRESENT

Richard A. Meserve	Chair
Nils J. Diaz	Commissioner
Greta J. Dicus	Commissioner
Edward McGaffigan, Jr.	Commissioner
Jeffrey S. Merrifield	Commissioner
Andrew Bates	Acting Secretary
Karen D. Cyr, Esq.	General Counsel

P-R-O-C-E-E-D-I-N-G-S

(10:25 a.m.)

CHAIRMAN MESERVE: Good morning. We have two affirmation matters to deal with first.

Mr. Secretary, you may proceed.

ACTING SECRETARY BATES: Mr. Chairman, Commissioners, the first item this morning deals with Millstone. The Commission is being asked to act on a memorandum, an order related to the partial review of ELP 0026, as directed by the Commission's memorandum and order in CLI-0103 regarding the interpretation of general design criteria 62, the prevention of criticality in fuel storage and handling.

The Commission has voted to approve an order and memorandum which affirms the Licensing Board's decision in favor of Northeast Nuclear Energy Company. The general design criteria 62 permits a licensee to use administrative controls to implement physical criticality prevention systems.

Would you affirm your votes?

(Unanimous.)

The second matter deals with Sharon Harris. The Commission is being asked to act on a memorandum and order responding to Orange County's petition for review of a series of Licensing Board decisions approving a license amendment filed by Carolina Power and Light to increase spent fuel storage capacity at its Sharon Harris Nuclear Power Plant.

In addition, Orange County filed an emergency motion for a stay of LBP 0109, pending disposition of their review. The Commission has voted to approve a memorandum and order which denies Orange County's petition for review of the Board rulings in LBP 0012, 0019, and 0109, and denies Orange County's request for an emergency stay of LBP 0109.

Would you affirm your votes, please?

(Unanimous.)

CHAIRMAN MESERVE: Is there anything else, Mr. Secretary?

ACTING SECRETARY BATES: That's it.

CHAIRMAN MESERVE: Thank you.

(Whereupon, at 10:27 a.m., the proceedings were concluded.)